United Nations A/59/706

General Assembly

Distr.: General
18 February 2005

Original: English

Fifty-ninth session
Agenda items 108, 120 and 123

Programme budget for the biennium 2004-2005

Administration of justice at the United Nations

Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Administration of justice in the Secretariat

Report of the Secretary-General

Summary

The present report contains the cost implications of the recommendations of the Office of Internal Oversight Services following its management review of the appeals process, issued in document A/59/408.

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1. The report of the Secretary-General on the administration of justice in the Secretariat (A/59/449) addresses, inter alia, the recommendations of the Office of Internal Oversight Services following its management review of the appeals process which was conducted in response to General Assembly resolution 57/307, and issued in document A/59/408. Noting the recommendations of the Office of Internal Oversight Services for additional resources to be allocated to the organizational units involved in the appeals process, the Advisory Committee on Administrative and Budgetary Questions requested that the General Assembly be provided with the cost implications of those recommendations.

2. For the biennium 2004-2005, the estimated resource requirements stemming from the recommendations of the Office of Internal Oversight Services are set out in the annex. In summary, they are as follows:

(a) For the Office of Human Resources Management: $177,800 for general temporary assistance, for eliminating the current backlog in conducting administrative reviews and preparing respondents' replies to the Joint Appeals Board;

(b) For the Geneva and Nairobi Joint Appeals Boards: $133,900 and $106,900, respectively, for general temporary assistance, for eliminating the current backlog in processing and considering appeals;

(c) For the Office of the Under-Secretary-General: $13,500, for general temporary assistance, for eliminating the backlog in the Office of the Under-Secretary-General for Management and for updating the electronic Case and Jurisprudence Digest of Administrative Tribunal Judgements;

(d) For training: $30,000, to be used as start-up costs for training the members of all Joint Appeals Boards (New York, Geneva, Vienna and Nairobi).

3. The total cost for addressing and eliminating the backlog amounts to $462,100. This amount will be accommodated from within existing 2004-2005 resources and will thus not entail additional appropriations.

4. Additional resource requirements for the biennium 2006-2007 amount to $1,021,600. They are set out in the annex and include the following: 1 P-5 and 1 P-3 for the New York Joint Appeals Board; 1 P-4 for the Panel of Counsel; 1 P-3 for the Administrative Law Unit in the Office of Human Resources Management; the upgrading of a P-2 post to P-3 (Deputy Secretary) for the Geneva Joint Appeals Board; 1 P-3 for the Vienna Joint Appeals Board; and 12 months of general temporary assistance for the Nairobi Joint Appeals Board. The resources requested for additional general temporary assistance in the Office of the Under-Secretary-General for Management ($27,000) and for training ($30,000) are proposed to be accommodated from existing resources, including training resources.

5. The total additional resource requirements of $964,600 ($1,021,600 less $57,000) for the biennium 2006-2007 represent recurring requirements needed to keep cases current and within time limits, thus complying with existing time limits and with the new timelines recommended by the Office of Internal Oversight Services in its management review. The Organization's compliance with time limits will effectively address the recurring complaint by appellants concerning the chronic delays in the recourse system and will further address the Tribunal's criticism of such delays and its awards of compensation therefor. These resource

estimates will be submitted to the General Assembly in the context of the proposed programme budget for the biennium 2006-2007 and the peacekeeping account for the period 2005-2006. All efforts will be made to identify offsetting amounts within other areas of the budget to ensure that these proposals would not call for additional resources for the Organization as a whole.

Annex

Cost implications of the recommendations of the Office of Internal Oversight Services in connection with its management review of the appeals process (A/59/408)

(United States dollars)

Organizational unit involved	*Recommendations of the Office of Internal Oversight Services (A/59/408)*	*Expected accomplishment*	*Planned indicators of achievement*	*Estimated general temporary assistance costs*	*Estimated costs for posts*
Administrative Law Unit/Office of Human Resources Management	P-3, Legal Officer	Regularization of current temporary arrangement in order to respond effectively to statutory deadlines and prevent accumulation of backlog (para. 32 and recommendation 8)	**All cases current and within time limits** (once backlog has been eliminated with the general temporary assistance). No risk of the Tribunal ordering payment of damages for delays in submitting the respondents' replies to the Joint Appeals Board	-	131 100
	General temporary assistance at the P-3 level for 16 work months	**Elimination of the current backlog** in responding to requests for review and preparation of respondents' replies (para. 32 and recommendation 8)	**All cases current and within time limits**. No more payment of damages for delays, ordered by United Nations Administrative Tribunal.	177 800	-
Joint Appeals Board/New York	P-5, Presiding Officer	Regularization of current temporary assignment of a full-time Presiding Officer and Chairperson in order to continue streamlining and expediting the work of the Joint Appeals Board (para. 35 and recommendation 9)	**Taking of decisions on procedures without delay**, smooth and efficient processing of an increased number of New York Joint Appeals Board cases and chairing of meetings	-	185 800
	P-3, Legal Officer	Provision of additional capacity to enable Joint Appeals Board to maintain workload once the current backlog is eliminated (para. 34 and recommendation 9)	**All cases current and within time limits.** No more payment of damages for delays ordered by United Nations Administrative Tribunal	-	131 100
Joint Appeals Board/Geneva	P-3, Deputy Secretary	Upgrading of an existing P-2 post to P-3 to deputize for the Secretary (paras. 37-38 and recommendation 10)	**Enhancement of productivity**, smooth and efficient processing of Geneva Joint Appeals Board cases and retention of institutional memory	-	57 800

Organizational unit involved	*Recommendations of the Office of Internal Oversight Services (A/59/408)*	*Expected accomplishment*	*Planned indicators of achievement*	*Estimated general temporary assistance costs*	*Estimated costs for posts*
	General temporary assistance at the P-3 level for 12 work months	**Elimination of current backlog** (paras. 37-38 and recommendation 10)	**All cases current and within time limits**	133 900	-
Joint Appeals Board/Vienna	P-3, Secretary	Establishment of a functioning full-time Joint Appeals Board Secretary (paras. 40-41 and recommendation 11)	**Enhancement of productivity**, smooth and efficient processing of Vienna Joint Appeals Board cases, establishment of case-management and tracking systems and assistance to other Joint Appeals Board secretariats, as needed	-	121 600
	G-5 (part-time), Administrative Assistant	Provision of administrative support to the Joint Appeals Board Secretary (paras. 40-41 and recommendation 11)	Maintenance of files and database, handling of routine correspondence, scheduling of meetings, tracking adherence to deadlines	-	70 800
Joint Appeals Board/Nairobi	General temporary assistance at the P-2 level for 24 work months	**Elimination of current backlog** and establishment of case-management and tracking system (paras. 45-46 and recommendation 12)	**All cases current and within time limits.** Effective case management system established	106 900	106 900
Panel of Counsel	P-4, Legal Officer	Provision of legal backstopping to the Panel of Counsel in New York and the other headquarters duty stations (paras. 48-51 and recommendation 13)	**Professional legal representation for staff; increased chances of early settlement**. Assistance given to Panels of Counsel in the other headquarters duty stations, as needed	-	159 500
Office of the Under-Secretary-General/ Department of Management	General temporary assistance at the P-4 level for 1 work month each year	Elimination of backlog. Annual updating and maintenance of electronic Case and Jurisprudence Digest of United Nations Administrative Tribunal judgements (para. 52 report)	**All cases current and within time limits.** All new judgements analysed and entered into the database in a timely fashion	13 500	27 000[a]

Organizational unit involved	*Recommendations of the Office of Internal Oversight Services (A/59/408)*	*Expected accomplishment*	*Planned indicators of achievement*	*Estimated general temporary assistance costs*	*Estimated costs for posts*
Office of Human Resources Management	Training to be provided to Joint Appeals Board/Joint Disciplinary Committee members at each headquarters duty station on an annual basis	Reports from Joint Appeals Boards that take account of the Organization's rules and policies leading to increased transparency and predictability in the appeals stage of the internal recourse system (paras. 58-61 and recommendation 15)	**Increased acceptance by the Secretary-General of unanimous recommendations of the Joint Appeals Boards**	30 000	30 000*
					1 021 600
					less
					57 000*
			Total	**462 100*** (non-recurrent)	**964 600** (recurrent)

* These requirements will be met from within existing resources.